

Press Release

IACHR and OHCHR Categorically Condemn Criminal Prosecution of Presidential Precandidates and Urge State of Nicaragua to Release Them Immediately

June 9, 2021

Washington, D.C. / Panama City, June 9, 2021—The Inter-American Commission on Human Rights (IACHR) and the United Nations High Commissioner for Human Rights (OHCHR) Regional Office for Central America and the Dominican Republic categorically condemned the criminal persecution of leaders of the opposition in Nicaragua who made public their intentions to run for the presidency in the general election scheduled for November 7.

According to the information the organizations have received, on May 19, Nicaraguan authorities began to investigate presidential precandidate Cristiana Chamorro Barrios on alleged money-laundering charges in connection with her role leading the Violeta Barrios de Chamorro Foundation, under Law No. 977 to Combat Money Laundering, the Financing of Terrorism, and the Proliferation of Weapons of Mass Destruction, which was passed in July 2018. As part of the charges brought against her, the Attorney General's Office requested that she be prohibited from running for public office, leaving the country, attending "specific meetings and locations," and communicating with people with ties to the investigation. As part of this criminal investigation, on June 2, police officers raided Ms. Chamorro's home for approximately six hours, since when she has been under house arrest, in incommunicado detention, with police surveillance within the building.

The IACHR and the OHCHR received information indicating that on June 5, police officers detained presidential precandidate Arturo Cruz Sequeira after he landed at Managua airport. In response, the Public Prosecutor's Office reported that it was conducting an investigation under Law No. 1055 to Defend the People's Rights to Independence, Sovereignty, and Self-Determination for Peace, which contains provisions concerning the prohibition to run for elected office. Mr. Cruz Sequeira is being investigated for the crimes of "provocation, incitement, and conspiring to undermine national integrity."

According to the information received, a preliminary hearing against Mr. Cruz Sequeira was held on June 7, in which his legal representative was prevented from taking part and a public defender was assigned to him instead. He was ordered to be held in pretrial detention for 90 days, under Law No. 1060, which brought reforms to the Code of Criminal Procedure last February. It was also noted that on the day of the pretrial hearing, police officers raided Mr. Cruz Sequeira's home, allegedly without allowing his lawyers to enter or presenting a court order or certificate of seizure for the assets that were confiscated.

Additionally, according to public information, on June 7, the Public Prosecutor's Office summoned the presidential precandidate for the Blue and White National Unity (UNAB) party, Félix Maradiaga Blandón, without specifying the criminal grounds for the investigation. On June 8, Mr. Maradiaga appeared in response to the summons and was detained by police officers after being interrogated under Law No. 1055.

That same day, the IACHR and the OHCHR also learned that the National Police Force had also detained presidential precandidate Juan Sebastián Chamorro García, political leader Violeta Mercedes Granera Padilla, and union leader José Adán Aguerri Chamorro on the grounds of similar accusations.

The National Police Force publicly informed that these arrests were carried out because Mr. Madariaga and Mr. Chamorro García were being investigated for "perpetrating acts that undermine the country's independence, sovereignty, and self-determination; inciting foreign interference in internal affairs; requesting military intervention; organizing using financing from foreign powers; organizing using financing from foreign powers to carry out acts of terrorism and destabilization; proposing and managing economic, financial, and commercial blockades against the country and its institutions; demanding, praising, and applauding the levying sanctions against the State of Nicaragua and its citizens; and harming the overall interests of the nation."

The IACHR and the OHCHR have pointed out on several occasions that various laws passed in Nicaragua since the current human rights crisis began in April 2018—including the three laws mentioned above and the electoral reform that was passed on May 4, 2021—contain provisions that violate regional and

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international human rights norms and standards, which the State of Nicaragua has committed to complying with. Both institutions also recommended taking all the steps needed to repeal regulations that put arbitrary limits on Nicaraguans' exercise of their political rights and public freedoms, warning that these could be used to unduly persecute individuals perceived as opposing the Government.

The IACHR and the OHCHR emphasized that the criminal prosecution of the presidential precandidates for the opposition involve factors that violate the right to personal liberty, the principle of legality, the presumption of innocence, the right to be tried by an impartial court or judge, and other guarantees of due process.

Furthermore, the IACHR and the OHCHR emphasized that events such as these continue to undermine the possibility of free, fair, transparent elections, thus eroding confidence in institutions and exacerbating the already serious deterioration of democratic institutions in Nicaragua. Other events that have compounded this situation include the revoking of the legal status of two opposition parties and the persistent harassment of human rights defenders, social and political leaders, and journalists and independent media workers by the authorities.

In this regard, the IACHR and the OHCHR urged the Nicaraguan authorities to immediately release all the people who were detained as part of these investigations, to guarantee their personal integrity and security, and to restore guarantees for the full enjoyment of civil and political rights, especially those of all individuals aspiring to run for public office and of voters such that they can freely choose the option of their preference.

In response to the human rights violations observed in Nicaragua at present, the IACHR and the OHCHR will coordinate their monitoring of the human rights situation in the country more closely. The two organizations once again expressed their willingness to return to the country and thus provide more effective support for the authorities and civil society as they seek solutions to the human rights crisis, within the framework of international human rights standards.

The Office of the High Commissioner for Human Rights (OHCHR) is the leading UN entity on human rights. The General Assembly has entrusted the [High Commissioner](#) and her office with a mandate to promote and protect all human rights for all people. At the request of States, UN Human Rights provides assistance in the form of technical capacity-building to provide support for the implementation of international human rights standards to ensure the effective enjoyment and protection of human rights. It assists governments, which bear the primary responsibility for the protection of human rights, in fulfilling their international obligations while providing support for individuals in claiming their rights. It also speaks out objectively on human rights violations.

The IACHR is a principal and autonomous body of the Organization of American States (OAS), whose mandate derives from the OAS Charter and the American Convention on Human Rights. The Inter-American Commission has a mandate to promote the observance and defense of human rights in the region and acts as a consultative body to the OAS in this area. The IACHR is composed of seven independent members who are elected by the OAS General Assembly in their personal capacity, and do not represent their countries of origin or residence.

No. 145/21

